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E.O. 12958: DECL: 2020/02/26

TAGS: PARM KACT MARR PREL RS US

SUBJECT: SFO-GVA-VIII: REQUEST FOR GUIDANCE-006 (SSBN SCRAPPING),
FEBRUARY 26, 2010

REF: STATE 14963; 10 GENEVA 143 (SFO-GVA-VIII-065)
10 GENEVA 147 (SFO-GVA-VIII-037); 10 GENEVA 107 (SFO-GVA-VIII-035)

CLASSIFIED BY: Rose A. Gottemoeller, Assistant Secretary, Department
of State, VCI; REASON: 1.4(B), (D)

¶1. (U) This is SFO-GVA-VIII-097 - REQUEST FOR GUIDANCE.

SUMMARY AND GUIDANCE REQUESTED

¶2. (S) Guidance received on January 30 (Ref A) directed the delegation to continue to press for Russian Federation agreement on Paragraph 4 of Section IV of Part III of the Protocol requiring submarines awaiting scrapping to remain visible to national technical means (NTM) of verification, following SLBM launcher elimination. Multiple negotiation sessions have been used to press for agreement (Refs B, C and D). No progress has been made on this issue and the Russian Federation is showing signs of using this issue as a basis for reopening other sections of Part III of the Protocol for re-negotiation. Background and analysis are in paragraphs 3-8. Recommendation is in paragraph 9. Guidance requested is in paragraph 10. End summary.

BACKGROUND AND ANALYSIS

¶3. (S) On December 18, 2009, the delegation negotiated a three element trade within Part III of the Protocol to clear all remaining brackets. The trade included: U.S. side dropping the requirement for the cutting and inspection of launch canisters; Russian side acceptance of a standard 30-day window for inspections and a 60-day window for verification by NTM; and, Russian side acceptance of scrapping submarines following elimination of the SLBM launchers contained on the submarine. Following interagency review in late December 2009 the U.S. side inserted bracketed language in Paragraph 4 which would require submarines awaiting scrapping to remain visible to NTM of verification.

¶4. (S) Guidance received on January 30 (Ref A) directed the delegation to continue to press for Russian Federation agreement on Paragraph 4 of Section IV of Part III of the Protocol regarding final submarine destruction by scrapping following launcher elimination. Bracketed U.S. language states "The submarine shall remain visible to national technical means of verification until final scrapping has been completed and notification has been provided." Multiple negotiation sessions have been used to press for agreement (Refs B, C and D).

¶5. (S) The Russian Federation continues to assert that once the SLBM launchers are eliminated, what remains of the submarine is not an accountable item and is not subject to the treaty. In accordance with guidance, the delegation has continued to assert that, under START, it was the common practice Q the Russian Federation to maintain the submarines in a place visible to NTM while waiting final scrapping (Ref A). The Russian delegation acknowledged this fact; however, they continue to assert that these submarines with their launch tubes removed are not subject to the treaty; therefore, no additional restrictions are required (i.e., remaining visible to NTM) are not required (Refs B and C).

¶6. (S) Agreed text in Paragraph 4 stipulates that, after the SLBM launchers have been eliminated, the submarine may be moved to another declared facility for final destruction by scrapping. Notification of this movement will be provided. The submarine must remain at this facility until its final destruction is completed. Notification of final scrapping must be provided. This requirement was inserted into the Protocol by the U.S. side to increase confidence that the SLBM launcher elimination process has not been reversed.

¶7. (S) Similarly, the requirement that the submarine undergoing scrapping remain visible to NTM until final destruction by scrapping is completed was intended to ensure the elimination process was not reversed. Upon further consideration, the delegation believes the movement restriction imposed in Paragraph 4 (the fact that the submarine can not leave the declared facility to which it has been moved for scrapping) provides the assurance mechanism needed to maintain confidence the SLBM launcher elimination process has not been reversed. Should a submarine with eliminated SLBM launchers that is undergoing scrapping be placed inside a building or completely under cover, the United States would have the right to bring this faQto the attention of the Bilateral Consultative Commission (BCC) an ambiguity by asserting that the subOrine appears to have left the declared facility in violQion of Paragraph 4 of Part III of the Protocol. The Russian Federation would then be faced with resolving the ambiguity. This mechanism, which is designed to clarify such ambiguities, should help reestablish confidence that the submarine had not been refitted to become part of a clandestine force. Additionally, if Cooperative Threat Reduction (CTR) funds are used to scrap the submarines, which has been the case for the past 10 years, the U.S. side will have the opportunity to correlate trusted agent reports

from the CTR contractors to see whether the submarine had been fully scrapped.

¶8. (S) On February 22, 2010, the Russian Federation suggested that the entire Conversion or Elimination portion (Part III) of the Protocol may need to be reopened for negotiation because the U.S. side hadQded the requirement for maintaining the opportunity for constant observation of any SSBN with its launchers removed by NTM in Paragraph 4, Section IV, which represents, in their view, a serious breach of the agreement reached on December 18, 2009. The Russian suggestion to reopen Part III specifically referred to the possibility of re-negotiating the conversion of individual SLBM

launchers, which has been raised recently by the Russian Federation (Ref B) and which the U.S. side wants to avoid.

RECOMENDATION

¶9. (S) Based on the movement restrictions that prohibit the submarine from leaving a declared facility; notification requirements regarding the arrival of the submarine at the declared facility and completion of final scrapping of the submarine; the established procedures of the Russian Federation that involve displaying submarines awaiting scrapping; and extensive negotiation time spent on this topic, the delegation recommends dropping the requirement that submarines awaiting final scrapping remain visible to NTM of verification until scrapping is complete.

GUIDANCE REQUESTEDQ

¶10. (S) Delegation requests that WQington approve the delegation's recommendation to drop the requirement that submarines awaiting final destruction by scrapping be visible to NTM of verification until the process of scrapping is complete.

¶11. (U) Gottemoeller sends.
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